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A PROFESSIONAL CORPORATION
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AGANA, GUAM 96910
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FILED
DISTRICT COURT OF GUAM

By JEHAN'AD. G. MARTINEZ

AUG - 9 2005 *gm*

Attorneys for *Defendant Imperial Suites, Inc.*

MARY L.M. MORAN
CLERK OF COURT

IN THE DISTRICT COURT OF GUAM

LA-RESA BLAS,

Plaintiff,

vs.

IMPERIAL SUITES, INC., d/b/a
IMPERIAL SUITES HOTEL and BONG
ROBATO,

Defendants.

CIVIL CASE NO. CV03-00027

**AFFIDAVIT OF JEHAN'AD G.
MARTINEZ IN SUPPORT OF RULE
16.5 MOTION FOR EXTENSIONS IN
SCHEDULING ORDER AND
VACATION OF EXISTING TRIAL
DATE**

ISLAND OF GUAM)
CITY OF HAGÁTÑA) ss

I, JEHAN'AD G. MARTINEZ, being first duly sworn do state that:

1. I am an attorney duly licensed to practice before this Court and a principal in the firm of Klemm, Blair, Sterling & Johnson, counsel of record for Defendant Imperial Suites, Inc. dba Imperial Suites Hotel ("Imperial Suites").

2. Since the alleged incident giving rise to this lawsuit, Imperial Suites has ceased operations as a going concern, terminated employment relationships with all those it had previously employed. Additionally, the General Manager and Custodian of Records for the corporation recently passed away of

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cancer, and the alleged assailant, Bong Robato ("Mr. Robato"), now permanently resides in the Philippines, where he is suffering from effects of a stroke, similar to those associated with Alzheimer's disease.

3. Because Mr. Robato resides in the Republic of the Philippine Islands, Plaintiff's counsel and Imperial Suites' counsel traveled to Manila to conduct his deposition on May 31, 2005. Since that time, counsel is informed that only a draft of the transcripts have been produced, which draft has not yet been provided to Imperial Suites' counsel. A finalized version of the deposition transcript, along with its exhibits, has not yet been compiled by the court reporter retained in Manila for the transcription services.

4. Because of Mr. Robato's involvement in this matter, the fact that he is laboring under physical and mental infirmity, and that he resides beyond 100 miles from the District of Guam, it was Imperial Suites' intent to seek permission to use Mr. Robato's deposition transcript in lieu of live testimony at trial pursuant to Rule of Civil Procedure 32(a)(3).

5. As of the filing of this application, Mr. Robato's deposition transcript has not been made available to Imperial Suites and therefore no application for its use at trial has been

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submitted. Imperial Suites has no other witnesses to the alleged
incident to testify in support of its defense.

6. This is Imperial Suites' first request for an extension
of the Scheduling Order.

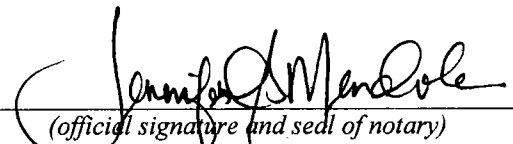
7. Additionally, Plaintiff's counsel has no objection to
Imperial Suites' Motion.

Further, affiant sayeth naught.

DATED: AUGUST 9th, 2005


JEHAN'AD G. MARTINEZ

SUBSCRIBED AND SWORN to before me this 9th day of August, 2005,
by JEHAN'AD G. MARTINEZ.


(official signature and seal of notary)

JENNIFER D. S. MENDIOLA
NOTARY PUBLIC
in and for Guam, U.S.A.
My Commission Expires: Apr. 13, 2009
1008 Pacific News Building, 238 Archbishop
F.C. Flores St., Hagåtña, Guam 96910

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